

## **WITNESS STATEMENT OF John C. Westra**

<b>Name</b>	John C. Westra
<b>Address</b>	3333 Moores River Dr. #711 Lansing, MI 48911
<b>Occupation</b>	Business & Technology Consultant Software Developer Uber Driver
<b>Date</b>	2015/03/25

I make the following witness statement:

- 1 I believe that the contents of this my witness statement are true and accurate. My name, address and occupation are as stated above.
- 2 For the purposes of this statement, I refer to a paginated bundle of documents marked "Attachments". Where I refer to page numbers in this statement, I am referring to pages in the Attachments section.
- 3 The testimony I am providing is based on the following:
  - a. More than 20 designing, implementing & managing technology solutions.
  - b. Eight years as locally elected official, charged with crafting local ordinances that protect the citizenry while encouraging business development and economic growth.
  - c. A Master Citizen Planner designation from Michigan State University.
  - d. Twelve months of near 100% dependency on public transportation, including cabs, while working in Washington D.C.
  - e. Two months experience as an Uber Driver.

- 4 I have been an Uber Driver for the past two months, conducting research on the Ride Sharing industry and the potential of developing complimentary and potentially competitive applications.

During my time as an Uber Driver, I have:

- a. Completed 348 trips
  - b. Had someone get sick in my car, requiring \$200 worth of professional detailing services.
  - c. Been rear-ended by a drunk driver, while transporting a passenger and had the other driver flee the scene of the accident.  
(Attachment p1,2)
  - d. Received a Civil Infraction ticket for "Obstructing Traffic" while picking up a passenger in front of a local bar in East Lansing.  
(Attachment p3)
- 5 Prior to being approved as an Uber Driver in Michigan, I was required to provide both proof of insurance and a valid drivers license. I was also vetted by means of a comprehensive background investigation (Available Upon Request)
- 6 Prior to being approved to drive my vehicle in the Detroit Area, I was required to have my vehicle undergo a complete safety and reliability inspection (Attachment p4,p5) Note: The re-inspection of my vehicle (p5), conducted on the 23<sup>rd</sup> of this month, was performed to confirm it was still physically and operationally suitable for service, following my recent accident.
- 7 The Role of Government: My own sentiments on this echo those of the late Milton Friedman who said:  
"Government ... should enforce contracts between individuals. It should protect citizens from crimes against themselves or their property. When government-- in pursuit of good intentions tries to rearrange the economy, legislate morality, or help special interests, the cost come in inefficiency, lack of motivation, and loss of freedom. Government should be a referee, not an active player."

- 8      What the People Want: 100% of the passengers I've spoken with during my time as an Uber Driver and are thrilled by how Uber, Lyft and other ride-hailing technology has made getting around easier. They regularly comment on how their experience with Uber drivers has been great and they do NOT want to see their access to this type of 'ride-share' option squelched by legislative special interest-driven regulation. They DO want to have drivers who have passed a background investigation and are driving vehicles that are safe and clean.
- 9      What Ride-sharing Drivers Want: All of the other active and prospective ride-sharing / Uber drivers I have spoken with want:
- a.    The ability to work and earn, whether it's part time or full time
  - b.    Equal standing with Cab drivers with respect to access to designated pick-up areas, airports, etc.
  - c.    Fair and equal access to customer information and the ability to develop long-term business relationships
  - d.    A fair and equal rating system that is 'driven' (pun intended) more by objective, rather than subjective measures and a way to respond to unfair criticism.
  - e.    Reasonably priced insurance coverage that protects them, their passengers and their vehicles.
  - f.    Government to NOT interfere with their potential for success.
- 10     Closing Thoughts:

We are living in an age of unprecedented innovation, much of it being driven by new technologies, such as the ride-sharing technology of Uber, Lyft, etc. Instead of Government picking winners and losers, it should find ways to integrate ride-sharing into the fabric of private and public transportation, reward innovation and reduce, rather than increase unnecessary red tape. In short, help create WIN/WIN solutions!

## **Together We Can Do More!**

Signature \_\_\_\_\_

Date \_\_\_\_\_

## **Attachments:**

# UBER

## Completed Incident Report Form(s)

Fax: 877-223-8023 Email: [City partner e-mail] @uber.com

Mail: Rasier LLC c/o Uber Technologies Inc.,

1455 Market Street, 4<sup>th</sup> Floor, San Francisco, CA 94103

Uber (Rasier LLC) driver-partners are required to fill out an incident report each time they are involved in a minor or major accident while en route to pick up a rider, or during a trip when a rider is in the vehicle. If an accident does occur, first secure the scene and seek medical attention if necessary. Notify the police immediately so a police report can be filed. If possible take pictures of vehicle and/or property damage and send with this form.

**Return this signed form within 24 hours.**

### Incident Details

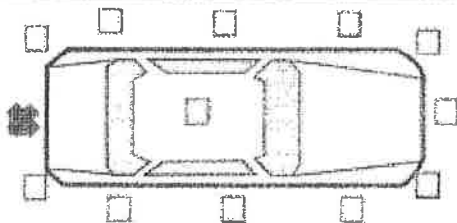
<b>3.17.2015</b>	<b>Time: 1544 EDT</b>	<b>Trip ID (if on a trip): 60D118D7-8F66-4B03-8EDB-6D73697CB270</b>
Address/Intersection: E Grand River Blvd @ Durand St		City, State, Country: East Lansing, MI, USA
Police Involvement (Y/N): Y		Police Report #: 1536401086
Officer Name & Badge #: Ofc Barb Hulliberger / 100		Police Precinct/Department: East Lansing

### Partner Vehicle

<b>Partner Name: John Westra</b>	<b>Passenger 1 Name: Trent Day</b>	<b>Passenger 2 Name:</b>
Driver's License #, State: MI	Age (appx): 18	Age (appx):
Phone: 616.427.4093 DOB: 07/13/61 Sex: M	Phone: 847-814-6016	Phone:
Address: 3333 Moores River Dr #711	Address: 1209 Arlington Hgts IL	Address:
# of Occupants (include self): 2	Injured? No	Injured?
Were you injured? Neck sore this AM...	Additional Information:	Additional Information:
Additional Information:		

### Car Information

Year, Make, Model: 2008, Subaru, Forester	License Plate/State: VUTURUS	Damaged, Towed, Driveable? Y/N/Y
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Please indicate the damaged area of the car. (Undercarriage, Overturned, Other)

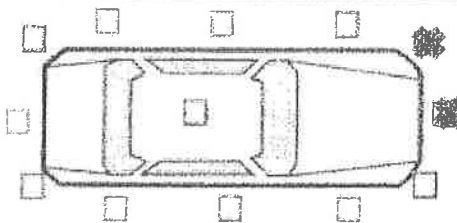
### Vehicle #2

<b>Driver Name: Trevor Kent Garr</b>	<b>Passenger 1 Name:</b>	<b>Passenger 2 Name:</b>
Driver's License #, State: G600802465822	Age (appx):	Age (appx):
Phone: Cell: Sex: M	Phone:	Phone:
Address: 20051 Rambling Rd Southfield MI	Address:	Address:
# of Occupants (include self): DOB: 10/25/1995	Injured?	Injured?
Injured? No	Additional Information:	Additional Information:
Insurance Carrier, Phone #: Unknown		
Policy:		
Additional Information: Arrested for OWI 2 <sup>nd</sup> time		

### Car Information

Year, Make, Model: 2009, Subaru, ?	License Plate/State: 563D28 / MI	Damaged, Towed, Driveable? Y/N/Y
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Hit and Run? Yes, although the driver was apprehended by police following the accident.



Please indicate the damaged area of the car. (Undercarriage, Overturned, Other)

## Witnesses to Incident

Witness 1: Mr. Trent Day (Passenger)

Witness 2:

Address:

Address:

Phone: 847-814-6016

Phone:

## Conditions

### Light Conditions

- ☒ Daylight ☐ Dawn  
☐ Dusk ☐ Dark-Lighted  
☐ Dark - Not Lighted  
☐ Other:

### Weather Conditions

- ☒ Clear ☐ High Winds  
☐ Cloudy ☐ Fog/Smoke  
☐ Ice ☐ Hail  
☐ Rain ☐ Snow  
☐ Blowing Sand/Snow  
☐ Other:

### Road Surface

- ☒ Dry ☐ Sand/Mud/Gravel  
☐ Snow ☐ Water Standing  
☐ Wet ☐ Water Moving  
☐ Ice  
☐ Other:

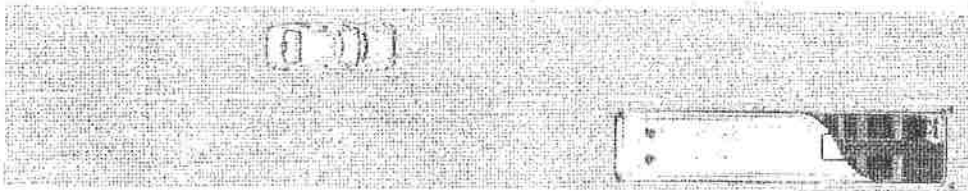
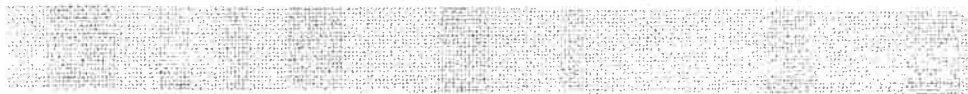
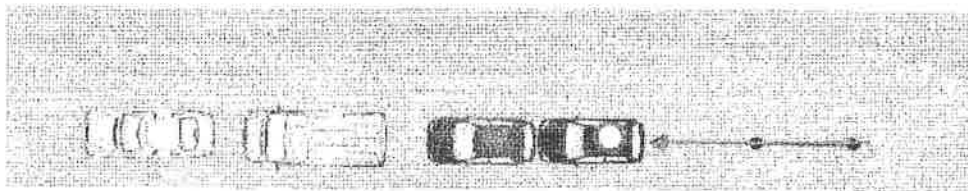
### Intersection Type

- ☐ Four-Way ☒ Not an Intersection  
☐ Traffic Circle ☐ T-Intersection  
☐ Driveway ☐ Railroad Crossing  
☐ Parking Lot ☐ On/Off Ramp  
☐ Y-Intersect'n ☐ 5 Point or More  
Other:

## Incident Description

☒ Direction ☐ Partner ☒ Other Driver ☐

As carefully as possible, draw a diagram of the roadway or intersection where the accident occurred. Please use symbols (above) to indicate direction of travel, involved parties, traffic signals for all parties, and any other important factors to help us understand the incident. Please also indicate "north" by an arrow in the circle on the top right.



In your own words, please describe the incident you have drawn above. Please be as specific and descriptive as possible.

See Attached Statement:

Were any citations issued at the scene by policy or other law enforcement? (Describe.) Yes. Other driver cited/arrested for Driving Under the Influence & Fleeing The Scene of an Accident

Was there property damage? (i.e., guardrail, road sign, building, wall, etc.)? Describe below. No

By signing below, you hereby acknowledge the above statement, as well as agree that the information provided in this report is truthful to the best of your knowledge.

Signature:

Printed Name: John Westra

Date:

2015-03-18

State of Michigan Uniform Law Citation US DOT #		Ticket No <b>E128794</b>		<input type="checkbox"/> Victim Involved Incident No. Dept. No. <b>364</b>	
The People of: <input type="checkbox"/> The State of Michigan <input type="checkbox"/> Township <input checked="" type="checkbox"/> City <input type="checkbox"/> Village <input type="checkbox"/> County Of: <b>EAST LANSING</b>		Local Arrest No. BAC		Detection Device Detected Speed	
THE UNDERSIGNED SAYS THAT ON Month Day Year <b>3/22/2015</b>		At Approx Time <b>1:54 AM</b>		Date Of Birth Month Day Year <b>7/13/1961</b>	
State <input checked="" type="checkbox"/> Oper. <input type="checkbox"/> CD. <input type="checkbox"/> Chaff. <input type="checkbox"/> Driver's License Number <b>MI W-236-429-115-554</b>		SSN (Last 4 Digits)			
Race <b>Unknown</b>		Sex <b>M</b>		Height <b>510</b>	
Occupation/Employer		Weight <b>180</b>		Hair <b>HAZ</b>	
Name (First, Middle, Last) <b>JOHN CHRISTOPHER WESTRA</b>					
Street <b>3333 MOORES RIVER DR APT 711</b>					
City <b>LANSING</b>		State <b>MI</b>		Zip Code <b>48911</b>	
Vehicle Plate No. <b>VUTURUS</b>		Year <b>2015</b>		State <b>MI</b>	
Vehicle Description Year, Make, Color <b>2008 SUBA BLK</b>		Veh. Type <b>PA</b>			
THE PERSON NAMED ABOVE in violation of <input checked="" type="checkbox"/> Local Ordinance <input type="checkbox"/> State Law <input type="checkbox"/> Admin Rule					
UPON <b>ABBOT RD</b> AT OR NEAR <b>ALBERT ST</b> Within <input checked="" type="checkbox"/> City <input type="checkbox"/> Village <input type="checkbox"/> Township OF <b>EAST LANSING</b> COUNTY OF <b>INGHAM</b> DID THE FOLLOWING					
* Type MCL Cite/PACC Code/ Ordinance Description Charge No					
<input checked="" type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Authorization Pend <b>IMPEDE FLOW OF</b>					
<input type="checkbox"/> Misd <input type="checkbox"/> Fug <b>257.676b</b> <b>VEHICULAR/PEDESTRIAN TRAFFIC</b> <b>1</b>					
<input type="checkbox"/> Fel <input type="checkbox"/> Waiv					
C/I Warn Authorization Pend.					
Misd Fug					
Fel Waiv					
2					
C/I Warn Authorization Pend.					
Misd Fug					
Fel Waiv					
3					
TO THE COURT: Do not arraign on a felony charge until an authorized complaint is filed					
SEE DATE BELOW SEE RIGHT SIDE OF CITATION FOR EXPLANATION AND INSTRUCTIONS					
Offense Code(s)					
1 2 3					
*Key Cite Civil Citation Misd Misd Fel Warn Warning CSE/Minor Construction Sub/Emergency Have Action for Which Fines Costs May Be Awarded Penalties Authorized Pending					
Remarks					
VIN : <b>JF1SG63698H704919</b> Distance: ft					
CHECK IF APPROPRIATE					
<input type="checkbox"/> Construction Zone <input type="checkbox"/> Damage to Property <input type="checkbox"/> Local Court Bond <b>\$0.00</b>					
<input type="checkbox"/> Vehicle Impounded <input type="checkbox"/> Injury <input type="checkbox"/> License Posted in Lieu of Bond					
<input type="checkbox"/> Traffic Crash <input type="checkbox"/> Death <input type="checkbox"/> Appearance Certificate					
<input type="checkbox"/> Person in Active Military Service <input checked="" type="checkbox"/> None					
<input checked="" type="checkbox"/> Appearance Date on or before: <b>4 - 10 days</b>					
<input type="checkbox"/> Hearing Date(if applicable) on: <input type="checkbox"/> Contact Court					
<input type="checkbox"/> Juvenile Traffic Misd. <input type="checkbox"/> Formal Hearing Required. (Court will Notify)					
54B District Court MI330005J					
Court Address & Phone Number					
54B District Court 101 Linden St. East Lansing, MI 48823 (517)351-7000					
Office Hours: M-F 8:00 AM TO 12:00 PM / 1:00 PM - 4:30 PM PayOnLine: www.54BDistrictCourt.com					
<input checked="" type="checkbox"/> I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief.					
Complainant's Signature and receipt if applicable Month Day Year					
3/22/2015					
Officer's Name (printed) Officer's ID No.					
J. Phelps 112					
Agency ORI Agency Name					



## ANNUAL VEHICLE INSPECTION

INSPECTION POINT	PASS	FAIL
1 Foot brakes	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Min. pad/shoe thickness per manufacturer		
Right front Measurements	<u>8</u>	<u>MM</u>
Left front Measurements	<u>8</u>	
Right rear Measurements	<u>3</u>	
Left rear Measurements	<u>3</u>	
2 Emergency brake (parking brake)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3 Steering mechanism	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ball joints	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tie rods	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rack & pinion	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bushings	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4 Windshield	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Large crack	<input type="checkbox"/>	<input type="checkbox"/>
Small crack	<input type="checkbox"/>	<input type="checkbox"/>
5 Rear window and other glass	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6 Windshield wipers	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7 Headlights	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8 Tail lights	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9 Turn indicator lights	<input checked="" type="checkbox"/>	<input type="checkbox"/>

INSPECTION POINT	PASS	FAIL
10 Stop Lights	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11 Front seat adjustment	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12 Doors (open, close, lock)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13 Horn	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14 Speedometer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15 Bumpers	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16 Muffler and exhaust system	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17 Tires, incl. tread depth	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Right front [32nd's / In]	<u>8</u>	
Left front [32nd's / In]	<u>8</u>	
Right rear [32nd's / In]	<u>8</u>	
Left rear [32nd's / In]	<u>8</u>	
18 Interior and exterior rear view mirrors	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19 Safety belts for driver and passenger(s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20 Does Vehicle have at least 4 doors?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
21 Does Vehicle have at least 4 passenger seats?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

VEHICLE INSPECTION  
(Please circle)

PASS FAIL

Must pass all inspection points to pass vehicle inspection

PARTNER NAME

PARTNER PHONE NUMBER

PARTNER EMAIL

### TO BE COMPLETED BY INSPECTOR

Subaru  
VEHICLE MAKE  
VUTURUS  
LICENSE PLATE #

Forester  
VEHICLE MODEL  
JF1SG63608H704919  
VIN#

2008  
VEHICLE YEAR  
155,501  
VEHICLE MILEAGE

MIDAS  
COMPANY NAME (IF APPLICABLE)

Scott  
INSPECTOR NAME

*[Signature]*  
INSPECTOR SIGNATURE

11214951  
INSPECTOR CERTIFIED MECHANIC #

2/12/15  
INSPECTION DATE

# VEHICLE INSPECTION

TO BE COMPLETED BY VEHICLE OPERATOR

John Westra

FULL NAME

westra.jc@consultant.com

EMAIL ADDRESS

SIGNATURE

616-427-4093

PHONE NUMBER

2015/03/23

DATE

## INSPECTION POINT

HEADLIGHTS

PASS

FAIL

TAIL LIGHTS

TURN INDICATOR LIGHTS

STOP LIGHTS

BRAKE PADS/SHOES THICKNESS

Min. per Manufacturer

Right Front Measurements

Left Front Measurements

Right Rear Measurements

Left Rear Measurements

EMERGENCY/PARKING BRAKE

STEERING MECHANISM

Ball Joints

Tie Rods

Rack & Pinion

Bushings

WINDSHIELD

Large Crack

Small Crack

REAR WINDOW AND OTHER GLASS

WINDSHIELD WIPERS

## INSPECTION POINT

PASS

FAIL

FRONT SEAT ADJUSTMENT

DOORS (Open/Close/Lock)

HORN

SPEEDOMETER

BUMPERS

MUFFLER AND EXHAUST SYSTEM

TIRES, INCL. TREAD DEPTH

Right Front 6/32 (32nd's/in)

Left Front 6/32 (32nd's/in)

Right Rear 5/32 (32nd's/in)

Left Rear 5/32 (32nd's/in)

INTERIOR AND EXTERIOR REAR VIEW MIRRORS

SAFETY BELTS FOR DRIVER AND EACH PASSENGER

## VEHICLE INSPECTION RESULT

Inspector To Circle

PASS

FAIL

INSPECTION DATE: 3-23-15

Any markings on the "FAIL" side will automatically fail inspection.  
THIS CERTIFICATION EXPIRES 1 YEAR FROM INSPECTION DATE

TO BE COMPLETED BY INSPECTOR

BILLING CHARLES Auto

COMPANY

VOTURS MI

LICENSE PLATE STATE AND #

2008 SUBARU

VEHICLE MAKE

GREGORY DAVIS

INSPECTOR NAME

INSPECTOR SIGNATURE

156,204

VEHICLE MILEAGE

JF1SG63608H704919

VIN#

FORESTER X

VEHICLE MODEL

4211 VANHOUTEN RD WILLIAMSTON

INSPECTION ADDRESS

2008

MODEL YEAR

5

# OF DOORS

M165554

STATE CERTIFICATION #

# OSHA<sup>®</sup> FactSheet

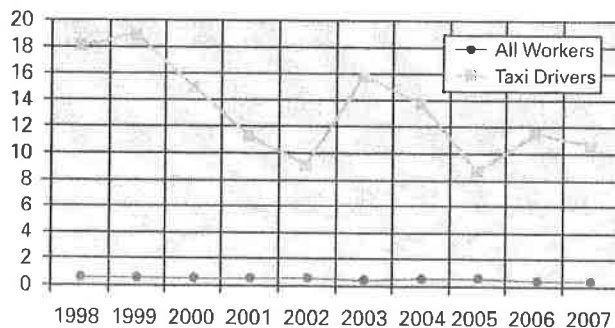
## Preventing Violence against Taxi and For-Hire Drivers

Taxi drivers are over 20 times more likely to be murdered on the job than other workers. By recognizing the hazards that lead to violent incidents and using proven prevention and control measures, employers and drivers can create safer working conditions.

### For-hire and taxi driver homicides

The Bureau of Labor Statistics' (BLS) data indicates that annual homicide rates for taxi drivers (and chauffeurs) from 1998 to 2007 ranged from 9 per 100,000 workers, to 19. During that period the rate for all workers was at or below 0.5 per 100,000 workers. In other words, taxi drivers' homicide rates were between 21 and 33 times higher than the national average for all workers.

Workers' Homicide Rates 1998 - 2007



1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
49	51	42	34	30	45	38	25	32	35

Number of Taxi Driver Homicides

### Risks that may lead to violence

Taxi drivers face many of the same risk factors as other workers in potentially violent occupations. These include working:

- With cash (making them targets for robbery);
- Alone and in isolated areas;
- At night and in poorly lit settings;
- In high-crime areas;
- With people under the influence of alcohol.

### Reducing the Risks

Reducing risks requires employers and/or taxi drivers to assess their potential hazards and

consider physical and procedural methods for reducing them. Generally, physical or "engineering" controls should be considered first since they create physical barriers between drivers and the hazards. Procedural methods require changes in behavior, such as not accepting cash, to reduce risks.

### Physical Controls

Potential physical controls include:

- Barriers – such as bullet-resistant glass – between drivers and passengers prevent robberies, injuries and death.
- Security cameras record activities within the vehicle, discouraging violent behavior, and aiding in identifying passengers, if an assault does occur.
- Silent alarms (such as an external light) and/or radio communication allow drivers to safely request help.
- Vehicle tracking devices, such as global positioning satellite (GPS) systems, allow drivers in distress to be located.
- Improved lighting inside the taxi allows the driver to be aware of passenger behavior.

### Procedural Controls

Procedural controls include:

- Establishing police protocols – including authorizing police stops.
- Promoting the use of credit card payments to limit the amount of cash in the taxi and thereby discourage robberies.
- Providing safety training to teach drivers, dispatchers and company owners about protective measures.

### Employer Responsibilities

OSHA citations can only be issued for violations of standards, regulations, and the General Duty Clause. Section 5(a)(1) of the OSH Act, the "General Duty Clause," provides that "Each em-